

The Honorable Chief Judge: Martin Glenn
Chapter 11 case : 22-10946
RE: Celsius Bankruptcy

May I, K. David Flora, please take a few moments and give my thoughts and Celsius story. I appreciate those creditors who have already shared their heart breaking circumstances. I agree with and feel their sentiments of betrayal, mental and physical pain, depression and much more. Tens of thousands of individual lives have been changed forever because of the fraud, lies and deceit of a few in the leadership of Celsius. As I put pen to paper, as it were, please forgive my informal and awkward writing style.

MY CELSIUS STORY

About September of 2021 I was looking for ways to benefit from the crypto coins I have been collecting for four years. I was introduced to the Celsius platform and began watching the AMA sessions each Friday . My goal was to find a way to safely earn interest on my crypto without using what seemed to me difficult defi platforms to navigate. The Celsius team would have teaching and explanation and clarification AMA sessions each week on how to use the platform and the benefits of hodling. There were often Celsius members asked to give testimonials on how they were taking control of their own finances or unbanking them selves. Celsius was often described as being safer than a bank. As an additional safe guard depositors could "lock" their coins to prevent hackers from stealing our coins. Week after week and month after month Celsius stated we controlled our coins. When asked about - not your keys not your coins-it was explained that "you (the depositor) own your coins". I must have heard that twenty times or more while investigating for three months before moving fifteen coins , in the mid six figures, to the platform. My coins were safe on the Celsius platform that claimed never to have been hacked and for additional safety they were in the "locked" protocol. These are my coins loaned to Celsius. I was unaware of the web of lies and deceit the Celsius leadership was spinning that would soon change millions of lives forever. Life was good-until it wasn't.

MOTTO

The Celsius motto is HODL, or hang on for dear life - to your coins. The HODL motto was on hats and shirts and cups and skate boards and worn by the staff and leadership. If you watch any Friday AMA testimonial session you will see the HODL emblem and hear it mentioned through out the learning and update sessions. To HODL our coins is the foundation of what was taught and the reason I joined Celsius . It is absolutely absurd to think I would give away that right. We were deceived during every AMA session if Celsius now claims we agreed to give or transfer coins to them. We were told the deposited coins were our coins-week after week and month after month. Was the concept of HODL as so vigorously pushed by Celsius real or not? It was their whole marketing campaign. Without HODL there is no Celsius. My hodled

coins are mine, not Celsius. That was the oral testimony given in every AMA session by Celsius leadership. I use the term testimony as it is the way of explaining and teaching and persuading, regardless of if you're in a court room, or a church, or gathering eye witness testimony of some event, or teaching and persuading individuals in the AMA sessions to bring their coins to the Celsius platform.

The last Celsius change of terms of use was done in such a way that no discussion or explanation of the change was given in any meaningful way. I listened intently for the next two AMA sessions. No indication was made that we would lose control of our coins. I didn't remove my coins from the locked status. It is very obvious we as depositors were deceived. I personally did not agree to the new terms of use for a few weeks, but I was locked out of my account and thus required to agree before I was allowed to sign on to the Celsius platform. Anyone who watched the final AMA session must have been as shocked as I was. Mr. Alex Mashinsky arrived late and it was very apparent he knew Celsius was bankrupt. He lied to us for the next 45 minutes and I was sorrowed. I had always liked him. I was trying to process what I thought this meant and decided to move my coins. Unfortunately it takes several days to move hodled "locked" coins to custody in preparation for transferring off the platform. Suspension of all activity stopped everything.

STATUS LEVELS

Can we be brutally honest about this very simple basic fact? Nearly all creditors should be treated the same. There was no custody when I joined, but as regulatory irregularities surfaced custody or withhold were developed. Few would move his /her coins on the platform thinking this is so awesome to put my coins in custody. We were all hoping to make a return either by interest or by obtaining a favorable loan. There should be one category ,creditor on the Celsius platform. We were all deceived equally. That being said I realize there are some exceptions.

VERBAL TESTIMONY VS WRITTEN TERMS OF USE

We have scores of hours of verbal testimony from the AMA sessions as to what we were taught about who owns and controls our hodled coins. This should take precedence over a couple sentences hatched in the " smoke filled back rooms" with the intent of stealing our coins and forcing anyone wanting to gain access to the Celsius platform to agree to their terms. My coins were hodled and locked before this change.

FINAL THOUGHTS

In the several previous and ongoing crypto bankruptcy cases, like 3 arrows and FTX, most involved are large institutional players who simply "write off" the loss with a "sting ," but our case involves many tens of thousands of individuals who are awaiting a "mortal blow". It is so frustrating to watch as an outsider with no influence to what seems to be many millions of dollars flowing out of the estate with little to show. Celsius/Kirkland and Ellis are lacking in their efforts. Is there a way to change monies paid out to a bitcoin inspired model—proof of work/results, and not proof of

time on the clock? There are so few in this case who can make a difference for the creditors. I humbly request that you take a stand , a stand for the wronged creditors and against Celsius who lied and deceived and plotted for many months to steal our coin. You as Judge can and should make a difference for tens of thousands of lives .

CONCLUSSION

Whereas:

I joined the Celsius family because of the concept of Hodling your coins , meaning I control them.

The Celsius motto and marketing program to Hodl is their foundation, and was testified to in all or nearly all AMA sessions.

I did not agree with the final terms of use hatched by Celsius to deceive its members , but was forced to agree with terms to gain access to the platform in order to transfer my coins off the platform, which I could not.

I have no expertise in legal matters, but I agree with Mr Immanuel Herrmann in all his discussions and will gently borrow from his words.

Therefor:

I do not consent to releasing ownership of my earn coins to the debtors.

I do not consent to the sale of my stable coins in the ordinary course of business or at any other time.

I do not consent to any stipulations between the Debtor other parties to determine the property rights of my deposits on my behalf.

Respectfully,

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